

**Attachment A Reclamation/IPC/USFWS  
Agreement on Flow Augmentation**

PN-6400

Mr. Joe Marshall  
Idaho Power Company  
PO Box 70  
Boise ID 83707

Subject: Release of Reclamation-provided Water for Flow Augmentation, 1996-99

Dear Mr. Marshall

On January 17, 1996 the Bureau of Reclamation (Reclamation) met with representatives of your company and the U.S. Fish and Wildlife Service (FWS) to discuss an agreement regarding the schedule and magnitude of flows provided for salmon in compliance with the March 1995 Biological Opinion (BO) issued by the National Marine Fisheries Service (NMFS) on the operation of the Federal Columbia River Power System. The BO calls upon Reclamation to provide 427,000 acre-feet (427 KAF) from the Snake River above Brownlee Reservoir to assist in meeting salmon target flows at Lower Granite Dam. Another BO was issued by the FWS and includes terms and conditions for protection of snails in the Middle Snake River.

Reclamation and Idaho Power Company understand that the FWS is uncertain at this time of what flow regimes are necessary to conserve and recover the listed snail populations and that FWS may in the future require variable flows for research purposes. Reclamation, Idaho Power Company, and the FWS understand that new information regarding the status or life history requirements of the listed snails may require re-consultation under Section 7 of the Endangered Species Act which could result in modifying or voiding this agreement. Reclamation and Idaho Power Company recognize that salmon flow augmentation releases in the Payette River must be managed to reflect the needs of listed species at Cascade Reservoir, reservoir water quality and fish and wildlife, and the environmental needs of the lower Payette River. Idaho Power Company, Reclamation and FWS also recognize that water rights for the Deer Flat National Wildlife Refuge are being adjudicated in the SRBA. This agreement is not intended to affect and does not affect the water rights of the FWS or other valid water rights.

This letter agreement addresses how flows will be provided in terms of schedules and rate of flow for salmon and snails from the upper Snake and the Payette rivers for 1996-1999:

#### SNAKE RIVER OPERATING PRINCIPLES

- 1 Reclamation will coordinate and plan its release of salmon flow augmentation to be no greater than 1500 cfs below Milner Dam exclusive of flood control releases.
- 1 If needed for research purposes, Reclamation will work with the FWS to provide variable flows exceeding 1500 cfs below Milner Dam during flood control release periods.
- 1 Reclamation will facilitate a down-ramping rate for flows at Milner near the end of the salmon water release for the purpose of protecting listed snail populations. Reclamation, FWS, and Idaho Power Company will jointly negotiate a ramp rate acceptable to all parties
- 1 If for research purposes the FWS desires flows below Milner Dam that exceed 1500 cfs during the non-flood release periods, Reclamation, FWS, and Idaho Power Company will jointly negotiate flow schedules acceptable to all parties.

#### PAYETTE RIVER OPERATING PRINCIPLES

- 1 Annually, in March or April, Reclamation, FWS, and Idaho Power Company will meet with interested Cascade and Payette River user groups to develop and operating plan for the coming year.

Reclamation's ability to limit below-Milner flows to 1500 cfs, and still meet its salmon related flow augmentation requirements, depends in part upon Idaho Power's ability to shape the releases of those flows from Brownlee Reservoir in a manner consistent with Technical Management Team recommendations. Idaho Power has made arrangements (independent of any involvement by Reclamation or FWS) pertaining to shaping of flows from Brownlee Reservoir, and will continue to shape flows in accordance with those arrangements for the life of the Agreement. Either party, however, may terminate this agreement at any time by providing 30 days written notice to other parties.

We appreciate Idaho Power Company's cooperation in providing shaping or pass-through at Brownlee Reservoir, in keeping with the NMFS 1995 BO, and FWS for working with us to try to accommodate the needs of Idaho Power Company while conserving the listed snail species. To confirm your understanding of the release principles addressed above, please sign the triplicate copies, retain one for Idaho Power Company, and return the other two to us.

Sincerely,

John W. Keys, III  
Regional Director